

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

E-DATA

Plaintiff,

v.

CINEMARK USA ET AL.

Defendants.

Civil Action No. 05-CV-04616 (BSJ)(FM)

STIPULATION OF DISMISSAL

Plaintiff E-Data Corporation ("E-Data") and Defendant Ticketmaster Corporation ("Ticketmaster") file this stipulation of dismissal under Fed. R. Civ. P. 41(a)(1)(ii) whereby E-Data moves to dismiss the suit with respect to Ticketmaster, which has answered and agreed to the dismissal. E-Data represents that it has not previously dismissed an action based on or including the same claims as those presented in this suit with respect to Ticketmaster.

E-Data and Ticketmaster stipulate that (1) this dismissal is with prejudice, (2) each party shall bear its own attorneys' fees and costs and (3) nothing herein shall be construed as a release or discharge of any claim E-Data has or may have against any other defendant named in this action.

Dated: 12/19/05

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